

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, October 8, 2008, at Suite 1614 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson William Long. Attending the meeting were board members George Harding, Patricia Heim, Darlene McNeece and Lee Anne Murray.

On motion by Harding, seconded by Heim, the board voted unanimously to approve the minutes from the September 10, 2008 regular board meeting. The motion passed the board unanimously.

Sworn Statements Submitted

08-39 Hamilton County PAC for Education, for failure to timely file a 2008 pre-primary campaign financial disclosure report. Class one (1), 11 days late, maximum two hundred seventy-five dollar (\$275) civil penalty. The organization has had no previous matters before the board.

The board voted at its September 10, 2008 to issue the organization a show cause notice.

The organization submitted a statement for the board's consideration.

A motion was made by Harding to take no further action in this matter. The motion to take no further action died for a lack of a second. A motion was made by Heim, seconded by McNeece, to assess the organization a \$100 civil penalty. The motion to assess the organization a \$100 civil penalty passed the board unanimously.

Cases Subject to Approval of Civil Penalty Order

08-37 Schree Pettigrew, for failure to file a 2008 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Pettigrew has had no previous matters before the board.

The board voted at its September 10, 2008 to issue Ms. Pettigrew a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Harding, seconded by Murray, the board voted unanimously to assess Ms. Pettigrew a \$10,000 civil penalty.

08-40 Tennessee Anesthesiologists PAC, for failure to timely file a 2008 pre-primary campaign financial disclosure report. Class one (1), 8 days late, maximum two hundred dollar (\$200) civil penalty. The organization has had previous matters before the board.

The board voted at its September 10, 2008 to issue the organization a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice.

On motion by Harding, seconded by Murray, the board voted unanimously to assess the organization a \$200 civil penalty.

08-41 Joe Towns, for failing to report 1 PAC contribution on his 2007 year-end campaign financial disclosure report. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. Towns has had previous matters before the board. (see below)

The board voted at its September 10, 2008 meeting to issue Rep. Towns a show cause notice.

Rep. Towns provided a statement for the board's consideration explaining that his report has been amended to show the PAC contribution.

On motion by McNeece, seconded by Heim, the board voted unanimously to assess Rep. Towns a \$250 civil penalty.

Rescind Show Cause Notice

08-38 Frankie Sharp, for failure to file a 2008 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Sharp has had no previous matters before the board.

The board voted at its September 10, 2008 meeting to issue Mr. Sharp a show cause notice.

Director Rawlins requested that the board rescind the show cause notice because Mr. Sharp had withdrawn from the election and therefore does not owe disclosure reports.

On motion by Heim, seconded by Murray, the board voted unanimously to rescind the show cause notice.

Cases Considered for Issuance of Show Cause Notice

Bill Brown, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Brown has had no previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue a show cause notice.

Virgil Kidwell, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), 50 days late, maximum ten thousand (\$10,000) civil penalty. Mr. Kidwell has had a previous matter before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue a show cause notice.

Lisa Kleis, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Kleis has had no previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue a show cause notice.

Camille McMullen, for failure to timely file a 2008 pre-general campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five dollar (\$125) civil penalty. Judge McMullen has had no previous matters before the board.

A motion was made by McNeece, seconded by Harding, to issue a show cause notice. The motion to issue a show cause notice failed by a 2 to 3 vote, with Long, Murray and Heim voting “no.”

In addition, the Registry requested the Executive Director to notify filers that the Registry would no longer automatically dismiss late filings of five (5) penalty days or less.

Jeff Miller, for failure to file a 2008 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Miller has had previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue a show cause notice.

Joe Towns, for failure to file a 2008 2nd quarter campaign financial disclosure report. Class two (2), 33 days late, maximum ten thousand (\$10,000) civil penalty. Rep. Towns has had previous matters before the board. (see above and below)

On motion by Harding, seconded by Heim, the board voted unanimously to issue a show cause notice.

Joe Towns, for failure to timely file a 2008 pre-primary campaign financial disclosure report. Class one (1), 15 days late, maximum three hundred seventy-five dollar (\$375) civil penalty. Rep. Towns has had previous matters before the board. (see above)

On motion by Harding, seconded by Heim, the board voted unanimously to issue a show cause notice.

Citizens for the Future of Memphis, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue a show cause notice.

General Motors PAC, for failure to timely file a 2008 pre-primary campaign financial disclosure report. Class one (1), 11 days late, maximum two hundred seventy-

five dollar (\$275) civil penalty. The organization has had no previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue a show cause notice.

Iron Workers Local 167 Political Action League, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), 37 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue a show cause notice.

Madison County Democratic Executive Committee, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue a show cause notice.

Progressive Women's Coalition, for failure to file a 2008 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue a show cause notice.

Tennessee Home Education PAC, for failure to file a 2008 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Harding, seconded by Heim, the board voted unanimously to issue a show cause notice.

Audit Review

Phil Bredesen

On motion by Heim, seconded by Murray, the board voted unanimously to approve Gov. Bredesen's 2006 campaign finance audit.

Cross Indexing Report

Rosalind Kurita

Director Rawlins provided the board with a cross indexing report which contained four (4) contributions reported as being given by PAC's but not reported by Sen. Kurita for the 2008 pre-primary reporting period. Director Rawlins informed the board that Sen. Kurita exceeded the exemption contained in T.C.A. §2-10-110. In addition, the board

was informed that Sen. Kurita had amended the report within 10 days of notification of the failure to report the contributions.

On motion by Heim, seconded by Murray, the board voted unanimously to issue Sen. Kurita a show cause notice for failure to report four (4) PAC contributions on her original campaign financial disclosure statement.

Director Rawlins provided the board with a cross indexing report which contained contributions reported as being received by candidates but were not reported as expenditures by the PACs for the 2008 2nd quarter and pre-primary reporting periods. Director Rawlins further informed the board that the PACs have amended their reports to correctly disclose the expenditures.

On motion by Heim, seconded by Murray, the board voted unanimously to issue show cause notices to the following PACs for failure to report an expenditure(s) made to a candidate:

- CWA District 3 Political Education Committee
- Murfreesboro Firefighters Assn. Local 3035 PAC
- Tennessee Truck PAC

Reported Financial Expenses

Director Rawlins provided the board members with a list of civil penalties that have been paid year to date.

Director Rawlins presented the expenditure reports for the 2006/2007 fiscal year through August 31, 2008.

Executive Director's Report

- Director Rawlins provided the board with the results of the Registry's portion of the Secretary of State's financial audit.
- Director Rawlins provided the board with a copy of the Tennessee portion of the Grading State Disclosure 2008 report. The report recognizes Tennessee as being the most improved state in their ranking of campaign finance disclosure over the past 5 years. In addition, Tennessee was placed on the Honor Roll for ranking 13th in the country for campaign finance disclosure.

Other Business

Director Rawlins provided the board with a sworn complaint that was filed with the Registry by Donald Cochran against Moving Unto Majority PAC for possible violations of the election law.

On motion by Murray, seconded by McNeece, the board voted unanimously to place the complaint on the agenda for the next regularly scheduled meeting.

Long, seconded by Murray made a motion, to adjourn the meeting until the next regularly scheduled meeting. The motion passed unanimously.